REMARKS

Entry of this Preliminary Amendment before continued examination of the instant application is respectfully requested. Upon entry of this Amendment, new claims 24-46 are presented. Claims 1-23 are canceled herein without prejudice. Reconsideration of the claims is respectfully requested.

At the outset, Applicant's below-listed Attorney would like to sincerely thank Examiner Marc for all the time and courtesies extended during the phone conference of June 1, 2006. During the conference, claim 10 was discussed in light of the Examiner's remarks in paragraph 10 of the Office Action of May 4, 2006. Applicant's attorney requested clarification of such remarks, and the Examiner suggested that revisions be made to the independent claims to further distinguish those claims from the prior art, in particular claim 1 from which claim 10 depends.

The currently pending claims have been added to more particularly point out and distinctly claim the subject matter that Applicant regards as the invention. It is submitted that the new claims are fully supported by the specification and drawings as filed. If the Examiner would like Applicant to specifically point out such support, Applicant will be happy to supply the same upon request.

Revisions to the specification have been made herein to correct minor grammatical and typographical errors.

Claim 4 stood rejected (in the Final Office Action of May 4, 2006) under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner stated that claim 4 recites "size of the traffic region" and that there is insufficient antecedent basis for the limitation in the claim.

Claim 4 has been canceled herein. As such, Applicant respectfully submits that the Examiner's 35 U.S.C. 112 rejection of claim 4 has been rendered moot.

Claims 1-6 and 8-20 stood rejected (in the Final Office Action of May 4, 2006) under 35 U.S.C. 103(a) as being unpatentable over Impson et al. (U.S. Pat. No. 6,804,602) in view of Tu (U.S. Pat. Pub. No. 2004/0260465). The Examiner stated that Impson teaches the recitations of Applicant's claims 1, 11 and 17, with the exception of the predetermined radius around the mobile vehicle communication device. The Examiner also stated that Tu teaches a navigation system for searching POI in a traffic region within a predetermined

radius around the mobile vehicle communication device. The Examiner concluded that it would have been obvious to modify the intelligent transportation system of Impson with the navigation system of Tu.

Claims 7 and 21-23 stood rejected (in the Final Office Action of May 04, 2006) under 35 U.S.C. 103(a) as being unpatentable over Impson et al. in view of Tu as applied to claims 1, 2, and 6 above, and further in view of Zimmers et al. (U.S. Pat. Pub. No. 2005/0013417). The Examiner states that Zimmers teaches that the traffic incident region GPS coordinate is transmitted via a satellite radio broadcast.

Applicant submits that claims 1-23 are canceled herein without prejudice, and thus the rejection of those claims has been rendered moot.

New independent claims 24, 34, 39 and 44 recite a method, computer medium or system that groups traffic incident data into one or more traffic data regions, each of the one or more traffic data regions defined by a respective region GPS coordinate; receives, at the mobile vehicle communication device from a satellite radio broadcast system, the respective region GPS coordinates; determines that at least one of the respective received region GPS coordinates is within a predetermined area in which the mobile vehicle is located; and then requests that a service provider, in operative communication with the mobile vehicle communication device, transmit localized traffic incident data to the mobile vehicle.

Applicant respectfully submits that none of the cited references teach grouping traffic data into traffic regions, each of which is defined by a GPS coordinate. It is further submitted that none of the cited references teach determining that the GPS coordinate(s) is within a predetermined area that the vehicle is also located in. Still further, none of the cited references teach requesting localized traffic incident data from a service provider.

Impson teaches in-vehicle systems that collect and transmit data to an ITS network, which compiles such data, formulates a report of such data, and sends the report to the ITS network users. Contrary to Applicant's invention as defined in the independent claims, Impson does not teach or suggest that the data is gathered and grouped into traffic regions prior to its collection by the in-vehicle system.

Furthermore, the Impson system includes a communication protocol element, which insures vehicle anonymity (see Col. 2, lines 48-49). Vehicle anonymity, as described in Impson, *teaches away* from Applicant's new claims 24, 34, 39 and 44, which recite that a request for localized traffic incident data is made to a service provider. The vehicle from

which the request is made is a subscriber, and as such, the service provider has access to information about the subscriber making the request.

Tu teaches that points of interest (POI) within an area along a **pre-selected** route are delivered to the vehicle user. Tu specifically states that if the vehicle is off the pre-selected route, the POI search process will not be performed (see paragraph [0059]). The search area (e.g., shown in Figs. 11A and 11B of Tu) described in Tu is specified by the calculated or pre-selected route (see paragraph [0076]), not by a predetermined area which includes the vehicle. Tu clearly teaches that the points of interest are determined in view of the pre-selected route, not in view of an area in which the vehicle is located.

Zimmers teaches that a notification parsing system receives weather information from satellite receivers, radio receivers, and/or the Internet. The system than parses such information accordingly. The notification parsing system of Zimmers is part of a network of computers, which analyzes the information using a database of information including communication identifiers, subscribers of those identifiers, etc. As the network of computers described in Zimmers includes a database server connected to three additional computers, one skilled in the art would not likely incorporate such a system into an in-vehicle system (such as the in-vehicle data collection system described in Impson). Neither of these references (Zimmers or Impson) fairly teach or suggest how such a system would be implemented into a mobile unit.

Furthermore, Impson specifically states that the in-vehicle system includes probes that gather data from the vehicle and from the environment surrounding the vehicle (see Col. 5, lines 49-62). This teaching clearly does not include, nor does it suggest, means for receiving information about situations outside an immediate vicinity of the vehicle.

Still further, Impson states that the communication medium is radio, switched circuit cellular, cellular digital packet data, personal communication services, communication satellite, or some combination thereof. There is no teaching or suggestion that data is received by the vehicle from a satellite radio broadcast. Impson specifically states that the communication medium "enables handshaking between the mobile unit 102 and the base unit 108." (see Col. 5, lines 27-29). It is submitted that the various forms of communication specified in Impson do not teach or suggest using broadcasting via satellite radio to transmit traffic incident region GPS coordinates to the mobile vehicle.

Reiterating the above arguments regarding Impson, Tu and Zimmers, none of the references teach 1) grouping traffic data into traffic data regions, wherein each region is defined by a GPS coordinate; 2) determining that GPS coordinate(s) indicative of traffic data regions are located within a predetermined area in which the vehicle is located; or 3) requesting localized traffic incident data from a service provider after making the determination that the location of the GPS coordinates is within the area.

For all the reasons stated above, it is submitted that Applicant's invention as defined in new claims 24-46 is not anticipated, taught or rendered obvious by the cited references, either alone or in combination, and patentably defines over the art of record.

In summary, new claims 24-46 are presented. It is submitted that, through this amendment, Applicant's invention as set forth in these new claims is now in a condition suitable for allowance.

Further and favorable consideration is requested. If the Examiner believes it would expedite prosecution of the above-identified application, he is cordially invited to contact Applicant's Attorney at the below-listed telephone number.

Respectfully submitted,

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